

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Babyage.com, Inc. and The Baby Club)
Of America, Inc.) C.A. No. 2:05-06792-AB
)
Plaintiffs,)
v.)
)
Toys "R" Us, Inc., d/b/a Babies "R" Us,)
Toys "R" Us- Delaware, Inc., Baby Bjorn,)
AB, Britax Child Safety, Inc. Kids Line, LLC,)
MacLaren USA, Inc., Medela, Inc.,)
Peg Perego U.S.A., Inc., and Regal Lager,)
Inc.,)
)
Defendants.)

**MOTION TO DISMISS ACTION
AS TO REGAL LAGER, INC. FOR FAILURE
TO PROSECUTE AND COMPLY WITH A COURT ORDER**

Pursuant to Fed. R. Civ. P. 41(b), Regal Lager, Inc. (hereinafter "Regal Lager") presents this motion to dismiss the action brought by Babyage.com, Inc. ("Babyage") and The Baby Club of America, Inc. ("Baby Club") as to defendant Regal Lager for failure to prosecute and comply with a court order. A supporting brief explaining the basis for this motion is served herewith.

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WHEREFORE, defendant Regal Lager prays that the Court dismiss with prejudice the action by Baby Club and Babyage as against Regal Lager.

Respectfully submitted, this 23d day of November 2010.

D.R. MARTIN, LLC

/s/ David Martin
5200 Peachtree Road
Suite 3116
Atlanta, GA 30341
Email: dmartin@abogar.com
Tel.(770) 454-1999
Fax (770) 458-5709

Admitted pro hac vice
COUNSEL FOR DEFENDANT
REGAL LAGER, INC.

**MITRANI, RYNOR, ADAMSKY &
TOLAND, P.A.**

/s/ Isaac J. Mitrani
301 Arthur Godfrey Road
Penthouse
Miami Beach, Florida 33140-3546
Email: imtirani@mitrani.com
Tel. (305) 358-0050
Fax: (305) 358-0550

Admitted pro hac vice
COUNSEL FOR DEFENDANT
REGAL LAGER, INC.